

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHODS AND APPARATUS FOR DETERMINING
PARTICLE CHARACTERISTICS BY MEASURING SCATTERED LIGHT

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a), including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior foreign application(s):

Priority Claimed

PCT/US2005/012173PCTApril 9, 2005

Yes (x) No ()

Number

Country

Date Filed

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional patent application(s) listed below:

Application Number(s): 60/561,164 and 60/561,165

Filing Date(s): April 10, 2004

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint William H. Eilberg, Registration No. 28,009, as my attorney to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Please send correspondence to Customer No. 02746, William H. Eilberg, Esq., Three Bala Plaza, Suite 501 West, Bala Cynwyd, PA 19004. Please direct telephone calls to 215-885-4600.

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Inventor's signature: Michael Trainer

Date: 10/6/06

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